

tion 10, Chapter 18 of the General Laws of the Thirty-seventh Legislature, approved February 28, 1921, and to add a new section thereto to be known as Section 6a, providing for the construction, maintenance and operation of the American Legion Memorial Sanitorium of Texas and the leasing of same to the Federal Government, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.

Senate Chamber,  
Austin, Texas, August 3, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 34. A bill to be entitled "An Act to provide vocational education and to accept the benefits passed by the Senate and House of Representatives of the United States for the promotion of vocational education, training," etc.,

Have examined said bill, and report it back to the Senate with the recommendation that it do pass.

DUDLEY, Chairman.

Senate Chamber,  
Austin, Texas, August 3, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 19. A bill to be entitled "An Act for the promotion of the interests of the rural schools, by appropriating \$1,000,000 each year."

Have had the same under consideration, and report it back to the Senate with the recommendation that it do pass, with committee amendments.

DUDLEY, Chairman.

#### Petitions and Memorials.

Senator Burkett offered and had read a petition, numerously signed, from citizens of Mitchell County, Colorado, urging adequate appropriation for aid of rural schools. Also a resolution adopted by churches at Cross Plains, endorsing Governor Neff's program for law enforcement measures.

Senator Woods offered and had read a petition from rural school trustees of Mitchell County, Texas, urging ade-

quate appropriation for rural schools of the State. Also a petition from the congregations of Baptist, Methodist and Cumberland Presbyterian churches at Dawson, urging adoption of law enforcement measures providing for removal of officers who wilfully or corruptly refuse to enforce the law.

Senator Doyle offered and had read a telegram giving resolution adopted by Bryan Chamber of Commerce protesting against reducing salaries of University faculty, and of teachers in other State schools. Also a resolution adopted by State Bee Keepers Association requesting Legislature not to transfer this work to Department of Agriculture.

Senator Buchanan offered and had read a communication from Belton Rotary Club protesting against reducing salaries of University faculty.

Senator Floyd offered and had read a telegram from Delta County Council of Agriculture, urging support of Farm Demonstration Department, and that no measures be adopted weakening such Department.

The Chair, Lieutenant Governor Davidson, offered and had read a telegram from President of Texas Pharmaceutical Association, Arthur Skillern, protesting against delay in confirmation of Walter H. Cousins as member of said Board. Also a telegram from Port Arthur Ex-Students Association, strongly protesting against reduction in appropriation for educational institutions. Also a numerously signed telegram from Brownsville, signed by taxpayers of that city, urging appropriation for University as first set out by Finance Committee. This was referred to Finance Committee.

#### FOURTEENTH DAY.

Senate Chamber,  
Austin, Texas,

Thursday, August 4, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Clark.
Baugh.	Darwin.
Biedsoe.	Davidson.
Buchanan.	Doyle.
Burkett.	Dudley.

Floyd.	Suiter.
Hertzberg.	Watts.
Lewis.	Williams.
McMillin.	Willis.
Murphy.	Witt.
Page.	Wood.
Parr.	Woods.
Rogers.	

Absent.

Cousins.	Hall.
Dorough.	Richards.
Fairchild.	

Absent—Excused.

Carlock.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

#### Senate Bill No. 50.

Senator Willis here moved to withdraw Senate Bill No. 50 from the public printer, and to recommit the bill to the Committee on Public Health.

The motion was adopted.

Senator Hall moved to reconsider the vote by which the bill was recommitment.

The motion to reconsider was lost.

See Appendix for Standing Committee reports and Petitions and Memorials.

#### Bills and Resolutions.

By Senator Dudley:

S. B. No. 61, A bill to be entitled "An Act making appropriations for the State Government for two years beginning September 1, 1921, and ending August 31, 1923, and for other purposes and prescribing certain regulations and restrictions in respect thereto; and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Dudley:

S. B. No. 62, A bill to be entitled "An Act making certain emergency appropriations out of General Revenue for the support and maintenance of the State Government for the fiscal years ending August 31, 1921 and August 31, 1922, and authorizing the expenditure of certain unexpended balances from former appropriations and making appropriations for authorized deficiencies incurred in support of the State Government for the fiscal year ending August 31, 1922."

Read first time and referred to Committee on Finance.

By Senators Cousins and Fairchilds, by request:

S. B. No. 63, A bill to be entitled "An Act to amend Section 28, Chapter 118, General Laws of the Thirty-second Legislature, Regular Session, 1911, entitled 'An Act to authorize the Commissioners' Courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, etc., and declaring an emergency,' as amended by Chapter 33, page 61, General Laws of the Thirty-fourth Legislature. Regular Session, 1915, the said Section relating to the authority of county judges to sell drainage district bonds; the disposition of the proceeds, and authorizing the sale of such bonds below par; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Fairchilds, by request:

S. B. No. 64, A bill to be entitled "An Act to amend Section 1, Chapter 155, Laws of Regular Session, Thirty-sixth Legislature of the State of Texas, known as the Oil and Gas Conservation Act of 1919, so as to permit the use of natural gas for the manufacture of carbon black, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Darwin:

S. B. No. 65, A bill to be entitled "An Act to amend Section 3 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, which Section relates to the powers, duties, compensation, etc., of the State Highway Commission, the purpose of this Act being to permit the members of said Commission to receive an annual per diem aggregating the sum of Fifteen Hundred Dollars (\$1,500.00) and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Darwin, Williams, McMillian and Willis:

S. B. No. 66, A bill to be entitled "An Act amending Section 18 of Chapter 190 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature

relating to the registration of motor vehicles used on the public highways in the State of Texas, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries

By Senator Burkett:

S. B. No. 67, A bill to be entitled "An Act validating the attempted incorporation of all cities, towns or villages operating under the provisions of Title 22, Revised Statutes, 1911, and amendments thereto, and validating the attempted acceptance by incorporated towns or villages of the provisions of the law with respect to cities and towns under said Title; and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Burkett:

S. B. No. 68, A bill to be entitled "An Act creating the Ector County Independent School District in Ector County, Texas; defining its boundaries; providing for a Board of Trustees in said District, etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Willis and Darwin:

S. B. No. 69, A bill to be entitled "An Act to amend Sections 19, 38, 41, 42, 44 and 47 of Chapter 44, Acts of the Thirty-fifth Legislature, Fourth Called Session, approved April 12, 1918, and also to amend Section 56 of said Chapter 44, as amended by Chapter 135, Acts of the Thirty-sixth Legislature, Regular Session, approved March 24, 1919; authorizing Commissioners' Courts to appoint Commissioners of appraisement for levee improvement districts and to levy and cause to be assessed and collected the necessary taxes in such districts; defining the powers and duties of county tax collectors and levee district supervisors in connection with such taxes; defining the duties of county treasurers as treasurers of such districts; and providing that county auditors shall have no control over the finances of any levee improvement district; defining the powers and duties of levee district supervisors and others with regard to construction work; providing for revision of the assessment of benefits and damages in such districts; and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

#### House Bill No. 34.

The Chair laid before the Senate, on second reading,

H. B. No. 34, A bill to be entitled "An Act to amend Articles 4930 and 4935, Chapter 13, Title 17, of the Revised Civil Statutes of Texas, 1911, so as to provide that the deposits thereby required or therein referred to shall be for the benefit of the holders of all the obligations of the depositor wheresoever incurred, and to repeal all laws in conflict herewith, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 34 put on its third reading and final passage by the following vote:

#### Yeas—26

Bailey.	Hertzberg.
Raugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Burkett.	Page.
Clark.	Parr.
Darwin.	Suiter.
Davidson.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent.

Cousins.	Rogers.
Richards.	

Absent—Excused.

Carlock.	Dorough.
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The bill was read third time and passed finally.

Morning call concluded.

#### Simple Resolution No. 26.

Whereas, At the Regular Session of the Forty-sixth Judicial District of Texas, is at the bar of the Senate, and

Whereas, during the World War he

was an officer in the Famous Lost Battalion of the Seventy-seventh Division throughout its tragic and heroic experience in the Argonne Forest, where he was wounded in action, captured and carried as a prisoner to Germany, therefore, be it

Resolved, That he be granted the privileges of the floor and be invited to address the Senate.

Rogers, Witt, Baugh, Burkett.

The resolution was read and adopted, and

The Chair appointed the signers of the resolution to escort Mr. Leak to the President's stand, who, after being introduced, addressed the Senate briefly.

#### Senate Concurrent Resolution No. 7.

By Senators Hertzberg and Bailey:

Whereas, At the Regular Session of the Thirty-seventh Legislature, a concurrent resolution was passed by the Senate of Texas, the House of Representatives concurring, authorizing the hanging in the Capitol of the portrait of Mrs. Clara Driscoll Sevier, to be presented by the Daughters of the Republic; and

Whereas, Said portrait has been completed, and the Daughters of the Republic are ready to present same to the Senate of Texas; and

Whereas, said resolution provided for the hanging of said portrait with appropriate ceremonies. Now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That said portrait be received from the Daughters of the Republic on Thursday morning, August 11th, at 11:00 o'clock, at a joint session of the Senate of Texas and the House of Representatives, and that a committee, consisting of two members from the Senate and three from the House of Representatives, be appointed to make suitable arrangements for said ceremonies.

The resolution was read and adopted.

#### Penitentiary Investigating Committee Report Adopted.

Senator Williams, Chairman of the Senate Penitentiary Investigating Committee, called from the table, the

report of the committee. (See Journal of July 29, for the report in full.)

Senator Williams moved the adoption of the report of the majority report, and

Senator Lewis moved, as a substitute, the adoption of the report of a minority of the committee.

Action recurred on the substitute motion first, and

Senator Williams moved to table the motion to adopt the minority report, which motion to table was adopted.

Action recurred on the adoption of the majority committee report and the same was adopted by the following vote:

Yeas—21.

Bailey.	Page.
Baugh.	Parr.
Bledsoe.	Rogers.
Buchanan.	Suiter.
Burkett.	Watts.
Darwin.	Williams.
Dudley.	Willis.
Floyd.	Witt.
Hertzberg.	Wood.
McMillin.	Woods.
Murphy.	

Nays—5.

Clark.	Fairchild.
Davidson.	Lewis.
Doyle.	

Absent.

Cousins.	Richards.
Hall.	

Absent—Excused.

Carlock.	Dorough.
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#### Senate Bill No. 18.

The Chair laid before the Senate, on second reading, and special order

S. B. No. 18, A bill to be entitled "An Act to provide a systematic method of road maintenance; the creation of a patrol system for the care and upkeep of the public roads and highways of the State. Providing for a budget system for the road and bridge fund of the counties, and providing for its proper safeguard and expenditure. Providing for the office of county road superintendent, and defining his duties and powers.

empowering him to work county convicts upon the public roads. Authorizing and directing the commissioners' court to provide for needs and equipments of the road superintendent and patrolmen so employed. Prescribing the duties and liabilities of all persons subject to road duty, and fixing penalties for the violation or neglect of such duties so imposed. Repealing all laws in conflict herewith and declaring an emergency."

Action recurred on the following amendment by Senator Lewis, et al., which was read and adopted:

Amend S. B. No. 17, Sec. 39, by adding thereto the following: Provided that none of the provisions of this Act apply to the counties of Grimes, Madison, Leon, Walker, Polk, San Jacinto, Montgomery, Grayson, Cook, Lamar, Fannin, San Patricio, Nueces, Kleberg, Kennedy, Willacy, Cameron, Hidalgo, Starr, Zapata, Webb, La Salle, Dimmitt, McMullen, Duval, Jim Wells, Jim Hogg, Brooks, Wharton, Matagorda, Brazoria, Galveston, Chambers, Aransas, Bee, Karnes, Wilson, Atascosa, Live Oak, DeWitt, Victoria, Goliad, Refugio, Calhoun, Jackson, Frio, Williamson, Travis, Burnett, Lampasas, Brewster, Coke, Crockett, Culberson, Edwards, El Paso, Huds-peth, Irion, Jeff Davis, Kimble, Kinney, Pecos, Maverick, Medina, Menard, Pecos, Presidio, Reagan, Reeves, Schleicher, Sterling, Sutton, Terrell, Tom Green, Uvalde, Val Verde, Zavalla, Hays, Caldwell, Comal, Blanco, Guadalupe, Gonzales, Real, Kerr, Kendall, Bandera, Gillespie, Wise, Denton, Montague, Bexar, Rockwall, Dallas, Williamson, Burnet, Travis, Lampasas, Wood, Smith, Van Zandt, Camp, Upshur, Navarro, Kaufman, Henderson, Erath, Comanche, Brown, Coleman, Runnels, Concho, McCulloch, San Saba, Mills, Llano, Jack, Young, Throckmorton, Clay, Archer, Wichita, Wilbarger, Baylor, Knox, Foard, Hardeman, King, Dickens, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Lubbock, Hockley, Cochran, Crosby, Childress, Hall, Briscoe, Swisher, Castro, Parmer, Deaf Smith, Armstrong, Donley, Collingsworth, Wheeler, Gray, Carson, Potter, Oldham, Hartley, Moore, Hutchinson,

Roberts, Hemphill, Lipscomb, Ochiltree, Hansford, Sherman and Dallam.

Senator Floyd offered the following amendment:

Amend S. B. No. 18, on page 7, by adding after the word "county" in line 13 the following:

"In counties which have in the course of construction or contemplation of construction new roads in bonded road districts the commissioners court may employ as county road superintendent a person who shall be an experienced and recognized road engineer and who shall in addition to other duties required under this Act, make plans and estimates and superintend the construction of all roads in the bonded road districts of such county. Said road superintendent may at the discretion of the county commissioners court be employed to make estimates, plans, etc., in regard to construction of levies in bonded levy districts of such county."

Senator Clark moved to table the amendment, which motion to table was lost.

The amendment was then adopted.

Senator Woods withdrew his proposed amendment formerly printed in the Journal.

Senator Floyd offered the following amendment, which was read and adopted:

Amend S. B. No. 18, page 6, lines 19 and 23, before the word "maintenance" add the words "construction and."

By unanimous consent it was directed that the caption be amended to conform to the amendments.

The bill was read second time and passed to engrossment.

On motion of Senator Davidson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 18 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.  
Baugh.  
Bledsoe.  
Buchanan.  
Burkett.  
Darwin.  
Davidson.  
Doyle.

Dudley.  
Fairchild.  
Floyd.  
Hall.  
Hertzberg.  
Lewis.  
McMillin.  
Murphy.

Page.	Williams.
Parr.	Willis.
Rogers.	Witt.
Suiter.	Wood.
Watts.	Woods.

Nays—1.

Clark.

Absent.

Cousins.

Richards.

Absent—Excused.

Carlock.

Dorough.

The bill was read third time and passed finally.

**Senate Bill No. 12.**

The Chair laid before the Senate, on third reading,

S. B. No. 12, A bill to be entitled "An Act amending Chapter 2, of Title 98, Revised Civil Statutes of the State of Texas of 1911, by adding thereto Articles 6057a and 6057b providing that any district, county or precinct officer guilty of wilfully and corruptly failing to discharge his official duties may be removed from office by suit filed by the Attorney General, and providing that it shall be the duty of the Attorney General to file such suit in the name of the State of Texas in any District Court in the Supreme Judicial District in which the officer sought to be removed resides, after having given such officer the right to be heard before filing suit; and further providing for the method of citation and procedure with reference to such removal."

Senator Woods offered the following amendment:

Amend S. B. No. 12 as follows:

Strike out the period, line 17, page 2, and add to the said line after the word 'suit' the words:

"Such hearing to be had at a convenient date to be fixed by the Attorney General and to be held in the county of said officer's residence."

The amendment was adopted by unanimous consent.

The bill was read third time and failed to pass by the following vote:

Yeas—10.

Baugh.	Page.
Burkett.	Suiter.
Davidson.	Williams.
Floyd.	Witt.
Lewis.	Woods.

Nays—14.

Bailey.	Hertzberg.
Bledsoe.	McMillin.
Darwin.	Murphy.
Doyle.	Parr.
Dudley.	Rogers.
Fairchild.	Watts.
Hall.	Willis.

Absent—Excused.

Carlock.

(Pairs Recorded.)

Senator Buchanan (present), who would vote "yea"; with Senator Richards (absent), who would vote "nay."

Senator Wood (present), who would vote "yea"; with Senator Cousins (absent), who would vote "nay."

Senator Clark (present), who would vote "nay"; with Senator Dorough (absent), who would vote "yea."

Senator Bailey moved to reconsider the vote by which S. B. No. 12 was defeated and table the motion to reconsider.

The motion prevailed.

**Senate Bill No. 23.**

The Chair laid before the Senate, on second reading,

S. B. No. 23, A bill to be entitled "An Act abolishing the Board consisting of the Lieutenant Governor and three members whom the Governor is authorized to appoint, and which Board is authorized and empowered to govern, manage and control subexperiment stations to make experiments and conduct investigations in planting and growing agricultural and horticultural crops and soils, and the breeding, feeding and fattening of livestock for slaughter, and conferring the authority, duties, powers and functions of said Board upon the Board of Directors of the Agricultural and Mechanical College of Texas; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Baugh, the constitutional rule requiring bills to

be read on three several days was suspended and S. B. No. 23 put on its third reading and final passage by the following vote:

**Yeas—24.**

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Burkett.	Page.
Clark.	Parr.
Davidson.	Rogers.
Doyle.	Suiter.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Witt.
Hall.	Wood.
Hertzberg.	Woods.

**Absent.**

Buchanan.	Richards.
Cousins.	Watts.
Darwin.	

**Absent—Excused.**

Carlock.	Dorough.
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The bill was read third time and passed finally, by the following vote:

**Yeas—27.**

Baugh.	Murphy.
Bledsoe.	Page.
Burkett.	Parr.
Clark.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Hertzberg.	Witt.
Lewis.	Wood.
McMillin.	Woods.

**Nays—1.**

Fairchild.

**Absent.**

Bailey.	Floyd.
Buchanan.	Hall.
Cousins.	Richards.

**Absent—Excused.**

Carlock.	Dorough.
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**Senate Bill No. 35.**

The Chair laid before the Senate on second reading.

S. B. No. 35, and

Senator Suiter moved that the bill be printed in today's Journal, and

that the bill lie on the table subject to call.

The motion was adopted. (See Appendix for bill in full.)

**Senate Concurrent Resolution No. 6.**

Senator Dudley called from the table the following resolution:

Whereas, In the general appropriation bills providing for the maintenance of the State Ranger force for the year ending September 1, 1921, appropriations were made for salaries and the various maintenance funds of said force in excess of the amounts necessary therefor, except as to traveling and other expenses of the members of said force when from their stations, and,

Whereas, There is a deficiency in the said last named fund of approximately \$5,000.00, and it is the desire of the Adjutant General's Department to pay the said deficiencies from the funds otherwise appropriated for the said department, and it is the judgment of the Senate and House of Representatives that he should be authorized so to do; therefore, be it

Resolved by the Senate and House of Representatives: That the Adjutant General of the State of Texas be, and he is hereby authorized and empowered, upon the proper auditing of said expense accounts of the members of said Ranger Force, to cause the sums to be paid out of any funds appropriated for the said Ranger Force, and that is not needed for the specific purposes for which such appropriations were made, and the Comptroller of Public Accounts is hereby directed to draw warrants against said funds upon the proper certificates from the Adjutant General's Department under this resolution.

The following sentence was added by unanimous consent:

"Provided that the aggregate of amounts so paid shall not exceed the sum of \$5,000.00."

After discussion the resolution was adopted

**Recess.**

On motion of Senator Clark the Senate, at 12:20 o'clock, recessed until 3 o'clock today.

**After Recess.**

The Senate was called to order by Lieutenant Governor Davidson.

## Senate Bill No. 20.

Senator Witt called up from the table, and the Chair laid before the Senate, on second reading,

S. B. No. 20, A bill to be entitled "An Act to amend Chapter 5, Title 8, of the Code of Criminal Procedure of the State of Texas of 1911, so as to prevent the reversal of criminal cases by the Court of Criminal Appeals upon technicalities and irregularities and declaring an emergency."

Senator Witt moved that the bill be made a special order for tomorrow morning after the conclusion of the morning call.

Senator Murphy moved, as a substitute, that the bill be made a special order for Monday morning at the conclusion of the morning call.

Senator Witt moved to table the substitute motion, which motion was adopted by the following vote:

## Yeas—11

Buchanan.	Suiter.
Burkett.	Watts.
Clark.	Willis.
Doyle.	Witt.
Dudley.	Woods.
Rogers.	

## Nays—9.

Bailey.	Page.
Bledsoe.	Parr.
Darwin.	Williams.
Fairchild.	Wood.
Murphy.	

## Present—Not Voting.

McMillin.

## Absent.

Baugh.	Hall.
Cousins.	Hertzberg.
Davidson.	Lewis.
Floyd.	Richards.

## Absent—Excused.

Carlock. Dorrough.

Action recurred on the motion by Senator Witt to make the bill a special order for tomorrow morning after the conclusion of the morning call, and,

Senator Page moved, as a substitute, that the bill be made a special order for Tuesday morning, in lieu of tomorrow morning.

Senator Witt moved to table the substitute motion, which motion to table was adopted, by the following vote:

## Yeas—12.

Baugh.	Fairchild.
Burkett.	Rogers.
Clark.	Suiter.
Darwin.	Watts.
Doyle.	Willis.
Dudley.	Witt.

## Nays—9.

Bailey.	Page.
Bledsoe.	Parr.
Hertzberg.	Williams.
Lewis.	Wood.
Murphy.	

## Present—Not Voting.

McMillin.

## Absent.

Buchanan.	Hall.
Cousins.	Richards.
Davidson.	Woods.
Floyd.	

## Absent—Excused.

Carlock. Dorrough.

The motion by Senator Witt to make Senate Bill No. 20 special order for tomorrow morning following the conclusion of the morning call, was adopted.

## Report of Managers, State Railroad.

Austin, Texas,

August 1, 1921.

To the Senate of the Thirty-seventh Legislature, in First Called Session.

Senate Bill No. 267, creating a Board of Managers for the Texas State Railroad, of which the Lieutenant Governor was made chairman, with authority to appoint the other members, became effective March 12, 1921, and appropriated \$25,000 for the rehabilitation and operation of the road.

The Board found the road almost a complete wreck, on account of nearly total lack of maintenance. The Board has rehabilitated the road to a point where trains can now be safely operated over it, and has on hand in money at this time \$29,852.22, being approximately \$5,000 more money than was appropriated to it.

The Board has furnished adequate and ample transportation for the traffic along the line, and while doing so has reduced the losses to practically nothing; whereas the road prior to that time had been losing at the rate of \$5,000 or more per month.



The Board has now practically completed a contract leasing the road to a dependable, responsible railroad company for a period of five years, and hopes to complete and submit at this present Special Session of the Legislature the final contract covering this lease, at which it will also make a full report upon all its actions in the handling of the road. In the meantime it submits herewith for your consideration a complete statement of the road's financial condition, showing moneys received and disbursed, the balance of

cash on hand at the date of this report. We do not show other and numerous assets accumulated in the way of materials and supplies, all of which will be shown in our final report, which it is hoped will be submitted at the present session.

Respectfully submitted,  
**LYNCH DAVIDSON,**  
 Lieutenant Governor,  
 Chairman of the Board.

The report was read, and on motion of Senator Bailey, ordered printed in the Journal, as well as the following:

The following statement covers the financial transactions of the Board of Managers of the Texas State Railroad since March 12, 1921:

#### RECEIPTS.

March 12—Appropriation by the Legislature.....	\$25,000.00
May 20—Deposit of funds from operations of road.....	1,648.15
June 14—Deposit of funds from operations of road.....	3,490.00
July 14—Deposit of funds received from Federal Government, reimbursing road for losses in deficit period of Federal control, the Texas State Railroad being under classification of non-Federal control road .....	11,550.00
<b>Total receipts to July 31.....</b>	<b>\$41,688.15</b>

#### DISBURSEMENTS.

(Following enumerated warrants were drawn upon sworn accounts filed with the Comptroller and now on record in that Department.)

April 1—Lynch Davidson, traveling expense.....	\$ 39.15
April 1—S. Raymond Brooks, traveling expense.....	20.75
April 27—S. Raymond Brooks, sal. and traveling expenses.....	114.73
April 27—S. Raymond Brooks, expenses.....	36.70
April 27—J. A. Glen, Member of Board, traveling expenses.....	29.02
April 30—D. C. Turner, trainmaster.....	P/R.... 125.00
April 30—F. P. Dixon, auditor.....	P/R.... 100.00
April 30—F. E. Richardson, agent, Palestine.....	P/R.... 75.00
April 30—W. E. Hill, agent, Maydelle.....	P/R.... 45.00
April 30—Katherine Vogal, stenographer.....	P/R.... 25.00
April 30—H. Peacock, engineer .....	P/R.... 62.20
April 30—W. J. Phillips, fireman.....	P/R.... 44.90
April 30—E. Dupree, conductor.....	P/R.... 58.98
April 30—J. C. Looney, brakeman .....	P/R.... 41.69
April 30—H. O. Lester, brakeman.....	P/R.... 44.04
April 30—H. Kelley, watchman.....	P/R.... 50.00
April 30—R. Asberry, foreman.....	P/R.... 55.00
April 30—G. F. Pessoney, labor, six men.....	P/R.... 175.50
April 30—S. Raymond Brooks, salary, April.....	175.00
May 7—Campbell State Bank, refund of amounts paid out subsequent to March 12, on checks on Manager, before beginning of Board's operation and payment by warrants drawn upon the State Treasury (this item is included in remittance to Treasury as provided).....	2,291.97
May 7—S. Raymond Brooks, traveling expenses.....	58.70
May 31—S. Raymond Brooks, traveling expenses.....	10.45
May 31—Southwestern Telephone Company.....	10.90

May 24—Western Union Telegraph Co.....	\$ 19.26
May 31—S. Raymond Brooks, salary.....	175.00
May 31—F. P. Dixon, auditor, half month.....	P/R.... 100.00
May 31—K. Vogal, stenographer.....	P/R.... 25.00
May 31—H. C. Mourain, foreman.....	P/R.... 70.95
May 31—J. W. Stevenson, asst. foreman.....	P/R.... 32.26
May 31—J. H. Powers, asst. foreman.....	P/R.... 22.58
May 31—R. Asberry, asst. foreman.....	P/R.... 51.78
May 31—J. Asberry, laborer.....	P/R.... 4.50
May 31—J. E. Redwine, engineer.....	P/R.... 9.68
May 31—R. Asberry, laborer.....	P/R.... 2.25
June 2—S. Raymond Brooks, traveling expense.....	59.45
June 4—Curran Printing Company.....	12.36
June 4—McAlesier Coal Company.....	439.26
June 4—Magnolia Petroleum Co. ....	14.84
June 4—Official Tariff Directory .....	7.53
June 4—Southern Hardware Sup. Co.....	97.00
June 4—C. P. Curran Printing Co.....	5.60
June 8—Campbell State Bank, overdraft account for May.....	402.13
June 9—F. P. Dixon, auditor, last half May.....	P/R.... 100.00
June 9—Katherine Vogal, stenographer.....	P/R.... 25.00
June 9—H. C. Mourain, foreman.....	P/R.... 100.00
June 9—J. H. Stevenson, asst. foreman.....	P/R.... 50.00
June 9—P. H. Powers, asst. foreman.....	P/R.... 50.00
June 9—R. Asberry, asst. foreman.....	P/R.... 35.86
June 9—J. A. Glen, expense account.....	27.94
June 15—S. Raymond Brooks, expenses.....	45.60
June 16—J. A. Glen, traveling expense.....	16.25
June 16—Western Union Telegraph Co.....	19.79
June 16—W. P. Smith, auditor.....	P/R.... 100.00
June 16—K. Vogal, stenographer.....	P/R.... 25.00
June 15—H. C. Mourain, foreman.....	P/R.... 100.00
June 15—J. H. Stevenson, asst. foreman.....	P/R.... 50.00
June 15—P. H. Powers, asst. foreman.....	P/R.... 50.00
June 15—Southwestern Tel. Company.....	26.60
June 23—Peden Iron & Steel Co.....	194.08
June 30—R. E. Walden, postmaster.....	1.50
June 30—S. Raymond Brooks, salary June.....	175.00
July 11—H. Whitaker, motor car.....	235.00
July 6—S. Raymond Brooks, expense account.....	33.36
July 11—Southwestern Telephone Company.....	4.75
July 14—W. P. Smith, auditor.....	P/R.... 100.00
July 14—H. C. Mourain, foreman.....	P/R.... 100.00
July 14—K. Vogal, stenographer.....	P/R.... 25.00
July 14—P. H. Powers, asst. foreman.....	P/R.... 50.00
July 14—W. Miller, lab. ....	P/R.... 24.00
July 14—Ben Micheaux, lab. ....	P/R.... 24.00
July 14—A. McGuff, lab. ....	P/R.... 21.00
July 14—John Pittman, lab. ....	P/R.... 11.00
July 14—Ed Phillips, lab. ....	P/R.... 19.00
July 14—Ed Bentle, lab. ....	P/R.... 8.60
July 14—H. Wade, lab. ....	P/R.... 20.00
July 14—Morris Lacey, lab. ....	P/R.... 17.60
July 14—R. Asberry, lab. ....	P/R.... 22.00
July 14—Thos. Kelly, lab. ....	P/R.... 15.00
July 14—A. Hood, lab. ....	P/R.... 12.00
July 14—Clarence Lane, lab. ....	P/R.... 11.00
July 14—R. Jones, lab. ....	P/R.... 11.00
July 14—J. Asberry, lab. ....	P/R.... 7.00
July 14—J. Redwine, lab. ....	P/R.... 8.00
July 14—R. Asberry, lab. ....	P/R.... 7.00
July 14—L. Roland, lab. ....	P/R.... 7.00
July 14—Ed McGuff, lab. ....	P/R.... 21.00

July 14—Guaranty State Bank, overdraft acct. June.....	\$ 393.80
July 18—S. R. Brooks, salary to July 17th inclusive.....	98.77
July 20—Davenport Lumber Company, for ties.....	3,150.00
July 18—S. Raymond Brooks, expenses.....	43.65
July 20—Independent Lumber Co., materials.....	51.40
July 20—J. A. Glen, expense, telephone bills and telegraph.....	24.50
July 25—Guaranty State Bank, overdraft account July.....	103.71
July 26—Texas Power & Light Co.....	15.90
July 27—S. R. Brooks, traveling expense.....	33.16
July 31—W. P. Smith, auditor.....P/R.....	100.00
July 31—K. Vogel, stenographer.....P/R.....	25.00
July 31—H. C. Mourain, foreman.....P/R.....	100.00
July 31—P. H. Powers, asst. foreman.....P/R.....	50.00
July 31—W. Miller, lab.....P/R.....	24.40
July 31—B. Michaux, lab.....P/R.....	12.00
July 31—E. McGriff, lab.....P/R.....	17.00
July 31—E. Phillips, lab.....P/R.....	14.20
July 31—E. Botty, lab.....P/R.....	24.40
July 31—H. Wade, lab.....P/R.....	18.00
July 31—M. Lacy, lab.....P/R.....	19.40
July 31—R. Asberry, lab.....P/R.....	3.00
July 31—T. Kelly, lab.....P/R.....	23.20
July 31—C. Lane, lab.....P/R.....	24.40
July 31—J. Asberry, lab.....P/R.....	3.00
July 31—J. Redwine, lab.....P/R.....	21.60
July 31—L. Roland, lab.....P/R.....	15.20
July 31—R. Jones, lab.....P/R.....	23.40
July 31—A. McGriff, lab.....P/R.....	12.20
July 31—D. Michaux, lab.....P/R.....	21.40
July 31—R. Smith, lab.....P/R.....	2.00
July 31—A. Board, lab.....P/R.....	14.40
July 31—Q. Lacy, lab.....P/R.....	4.00
July 31—D. Wagner, lab.....P/R.....	4.00
July 31—J. Ross, lab.....P/R.....	4.00
July 31—W. Singletary, lab.....P/R.....	17.40
July 31—John Sanford, lab.....P/R.....	15.40
July 31—K. Asbury, lab.....P/R.....	2.00
July 31—John Kelly, lab.....P/R.....	15.40
July 31—H. Penson, lab.....P/R.....	8.20
July 31—E. Sarden, lab.....P/R.....	1.00
July 31—W. Perry, lab.....P/R.....	8.40
July 31—E. Deckerd, lab.....P/R.....	4.20
July 31—H. Smith, lab.....P/R.....	8.40
July 31—J. Lane, lab.....P/R.....	6.20
July 31—L. Davis, lab.....P/R.....	6.20

Total disbursements .....\$11,835.93

Balance on hand, July 31.....\$29,852.22

**\$41,688.15**

Balance on hand, July 31.....\$29,852.22

I certify that the above is a full, true and correct statement of the Texas State Railroad Account, C3524, at the close of business July 31, 1921.

LON A. SMITH,  
Comptroller, State of Texas.

#### Adjournment.

On motion of Senator Clark the Senate, at 3:40 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

#### APPENDIX A.

##### Senate Bill No. 35.

The following bill is printed in full on motion of Senator Suiter:

By Sulter.

S. B. No. 35.

A BILL  
to be entitled.

An Act providing for taking the scholastic census, the time and manner of taking the same, prescribing the duty of the person taking and reporting the scholastic census, prescribing the duty of the county superintendent relative to the preservation of the scholastic census and reporting the same to the State Superintendent of Public Instruction, providing for taking the census in county line districts, prescribing the duty and powers of the State Superintendent relative thereto; providing for taking the census in independent districts and cities and towns constituting independent districts; providing for attendance of children of scholastic age in the public schools; providing penalties for the violation of this Act; repealing Articles 2774, 2775, 2776, 2776a, 2777, 2778, 2779 of Chapter 13 of the Revised Civil Statutes of Texas, and all other laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That on or before the first day of May, 1922, and on or before the first day of May of each succeeding year thereafter, the superintendent of public schools of each and every district having a superintendent and the principal teacher of such schools as have no superintendent shall prepare a tabulated statement, upon forms to be furnished by the State Superintendent of Public Instruction, of all children that will be over seven and under eighteen years of age on the first day of the following September, and who are residents of said school district and have actually attended the public schools of the district in which he is superintendent or principal teacher during the scholastic year in which such census is taken, provided those becoming seven years of age by the first day of the next succeeding September shall be listed, though they have not attended school during the year, which tab-

ulated statement shall show the name of the parent, guardian or custodian of each child and shall show the name, color, and nationality of each of said children, the name and number of the school district in which such school children reside, the sex and date of birth of each of said children and the number of days such child has actually attended the schools of said district during the scholastic year in which said statement is made, and said superintendent or principal teacher shall also make a similar list of the children within said ages which are transferred from other districts to his district and have attended the public schools of his district during said year and shall show the name and number of the district from which they were transferred. The parent or guardian of all children who will be seven years of age and not as old as eight years of age on or before the first day of the next succeeding September, shall be required to enroll such children with the superintendent or head teacher of the school, on or before the first day of May preceding the first day of September of the scholastic year in which such children are to enter school. The scholastic year, wherever herein alluded to shall be defined as beginning with the first day of September, and closing with the thirty-first day of the following August.

Sec. 2. Separate tabulated statements shall be made for white and colored children and shall be arranged in alphabetical order, according to the family name of the children, which alphabetical order shall include strictly alphabetical tabulation to the third letter of the surname, and which tabulated statements of the resident children shall constitute the census rolls for his district, and he shall make oath, on a prescribed form, that his rolls and the summaries are correct and that each of the children shown to have attended the public schools of his district did actually attend such schools for the number of days shown in said statements, and he shall deliver said rolls to the county superintendent on or before the 10th day of June next thereafter. The

county superintendent shall list the names of children transferred from one district to another in the district in which they reside as a part of the scholastics of said district.

Sec. 3. The census rolls and summaries from the various school districts of his county shall be preserved by the county superintendent of public instruction in his office for five years after they are filed. Carbon copies of the census rolls made on the prescribed forms may be used for files, provided that the original copies of census rolls of the various school districts shall be filed in the county superintendent's office, and the original copy of the consolidated census rolls of the entire county shall be filed in the State Department of Education.

The county superintendent shall make, on prescribed forms, separate consolidated rolls for the white and colored children of his county showing the name, age, and sex of each, the number of days each has attended the public schools, together with the number of the district in which each child lives and the name of the parent or guardian of such children, arranging the names of the children according to the alphabetical order of their family names. In making the consolidated rolls for his county he shall scrutinize carefully the rolls which have been furnished him by the superintendent or principal teacher of the various districts of his county, and shall have the power to summon witnesses, take affidavits and correct any error he may find in any such rolls, and he shall carefully exclude all duplicates.

If he deems it necessary, he may reject any roll and have another census made of the children in such district, in which case he shall not approve a warrant to pay the superintendent or principal teacher for making the tabulated statement which he has rejected.

When the county superintendent has prepared his consolidated rolls, one for each race, he shall make two copies of each, and he shall make affidavit to the correctness of the original copy and of the two duplicates. The originals he shall, on or before the first day of July, forward to the State Superintendent of Pub-

lic Instruction at Austin, and one duplicate shall be filed with the county clerk and become one of the permanent records of his office, and the other shall be filed in the office of the county superintendent. The county superintendent shall forward to the State Superintendent with his consolidated rolls an abstract on the prescribed form, under oath, showing the number of children of each race of the different years of the school age, as shown in such tabulated statements, and the total number of children of each race, and the total of both races in his county. In making his consolidated rolls, and in investigating the work of any superintendent or principal teacher who has filed with him a tabulated statement of the census of his district, the county superintendent shall refer to the forms and statements of previous years, when necessary, and they shall be carefully preserved for this purpose.

Sec. 4. The superintendent or principal teacher, if there be no superintendent, in any common county line district in the State of Texas shall make a tabulated statement of all children over seven and under eighteen years of age on the first day of the following September, who reside within said district and have attended the public schools of said district during the scholastic year in which statement is made, in the same manner and on the same forms and at the same time as provided in Sections 1 and 2 of this Act, except that he shall keep separate lists for those living in each county having territory in his district, and shall deliver the tabulated statement of the children residing in each county to the county superintendent and county treasurer of the county in which said children reside, to be by them used for the purpose of apportioning the county available school funds, and in case such a district has voted a special tax for the purpose of school maintenance or the payment of interest and sinking fund on school bonds, the county superintendent in each of said counties shall, from time to time, as such taxes have been collected by his county, draw his warrant against the county treasurer or county depository of such county for

such amount of county available funds or special taxes, or either or both, as the case may be, as shall be on hand in the hands of the treasurer or depository, as the case may be, in favor of the county treasurer or depository of the county having control and management of the schools of such district, and on the presentation of such warrant it shall become the duty of the treasurer or depository of the county against whom the warrant is drawn to pay over to the county treasurer or depository of the county having control of the schools of the district such amounts of money as is called for in such warrant. The said warrant shall be drawn in favor of the school district embracing the territory in the county involved and in favor of the county treasurer or depository of the county having control of the schools of the district and be credited to such school district, and the funds of such school district shall be used as is provided by law for the use of the different kinds of school funds.

Sec. 5. The State Superintendent shall have authority to investigate the census of any county, to correct errors, and in extreme cases when he believes gross errors have occurred or that fraud has been practiced, he may, with the approval of the State Board of Education, reject any county roll or any part thereof and direct the census of the county or a part thereof, as the case may be, to be retaken by having a correct tabulated statement of the children in the various school districts of said county or part of county made under his direction and by whomsoever he may appoint for this purpose, which correct rolls shall be made by certifying the rolls furnished by the county superintendent and eliminating therefrom the names of any who may have been illegally included.

Sec. 6. For their services in making out and delivering to the county superintendent the tabulated census rolls as provided by this Act, the superintendent or principal teacher, as the case may be, shall receive two cents per capita of the children enumerated on said rolls; and the county superintendent shall receive one cent per capita of the scholastic popula-

tion reported by him, but this amount shall not be paid until the census of the county has been accepted by the State Superintendent and shall be forfeited as follows: The superintendent or principal teacher, as the case may be, if his work is rejected by the county superintendent and another census of his district is ordered made, shall receive no compensation, and neither the county superintendent nor the superintendent or principal teacher shall receive any compensation if the census rolls of the county are rejected and ordered by the State Superintendent and State Board of Education to be retaken, and the funds which would have been paid for making said tabulated statement as provided in this Act may be used by the county superintendent or the State Superintendent, as the case may be, in paying for having the correct tabulated statement of said county or part thereof made.

Sec. 7. The provisions of this Act shall apply to making the tabulated statement of the scholastic population in cities and towns constituting independent districts all of which shall be made on forms and in the manner provided by this Act, provided that in cities having ward schools the superintendent may appoint the principal of each such ward schools to make the tabulated roll of said ward, and the tabulated statement shall also show the street and house number, or location of the house or place in which each child resides, the tabulated statement for the various wards shall constitute the scholastic roll for such city or town constituting an independent school district.

Sec. 8. Any person making a false affidavit to any tabulated statement provided for in this Act shall be guilty of perjury and shall be punished as provided by the Penal Code of this State for punishment of persons guilty of perjury; and any superintendent or teacher willfully making an incorrect tabulated statement of the scholastics in his district or ward, or inserting names thereon which should not be inserted under the provisions of this Act, shall, in addition to the punishment provided for persons guilty of

perjury, have his teacher's certificate cancelled and shall not thereafter be permitted to teach in the public schools of this State.

Sec. 9. Every child of scholastic age residing in any school district of the State shall be entitled to free tuition in the district in which such child resides, whether such child has been included in the preceding scholastic census or not. Every child who is transferred to a school district of which such child is not a resident, shall be entitled to free tuition in the schools of the district to which he is transferred, the said free tuition to continue for such a length of time as the schools of the district to which he is transferred, are supported from State and county funds.

Sec. 10. Articles 2774, 2775, 2776, 2776a, 2777, 2778, 2779 of Chapter 13 of the Revised Civil Statutes of Texas are hereby specifically repealed and any other law or part of law in conflict herewith is hereby repealed.

Sec. 11. The fact that there is now no adequate law by which padding the census rolls and making fraudulent scholastic lists for the various counties and school districts may be prohibited, constitutes an emergency and a public necessity requiring that the constitutional rule requiring bills to be read on three several days be suspended and this bill be put upon its third reading and final passage and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### APPENDIX B.

##### Committee Reports.

(Majority Report.)

Committee Room.

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Printing, having had under consideration Senate Bill No. 47, beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

ROGERS, Chairman.

Following is the bill in full:

By Watts.

S. B. No. 47.

#### A BILL to be entitled.

An Act to authorize the State Fire Insurance Commission to transfer all unexpended balances in the various items of the appropriation made by the Third Called Session of the Thirty-sixth Legislature, Chapter 51, page 93, of the printed Acts, to the item designated "stationery and printing supplies" so that such unexpended balances in the various items contained in the appropriation may be utilized for expenditure for securing stationery and printing supplies.

Be it enacted by the Legislature of the State of Texas:

Whereas, The State Fire Insurance Commission is sustained by revenue from one and one-fourth (1 1-4) per cent tax of gross premiums of all fire insurance companies in accordance with Section 29 of the State Fire Insurance Law, passed by the Regular Session of the Thirty-third Legislature, and amended by the Regular Session of the Thirty-fifth Legislature and the Third Called Session of the Thirty-sixth Legislature; and

Whereas, The Thirty-sixth Legislature, at its Third Called Session, page 93, of the printed Acts, made an appropriation for the support and maintenance of the State Fire Insurance Commission and designated the various items for which appropriations were made; and

Whereas, There now remains and will remain at the close of the fiscal year 1921, unexpended balances in some of these items; and

Whereas, Such unexpended balances are particularly needed in order to secure the necessary stationery and printing supplies, Be it enacted by the Legislature of the State of Texas:

Section 1. That the State Fire Insurance Commission is hereby authorized to transfer any or all unexpended balances in the various items of appropriation for the maintenance and support of the State Fire Insurance Commission for the fiscal year ending August 31, 1921, to the

item of appropriation for stationery, printing and supplies; and that said Commission is authorized to use and expend such sum of unexpended money as remains in the various items as of date of the passage of this Act, and such other unexpended balances accruing on or before August 31, 1921 for the purpose of purchasing necessary stationery, printing and supplies.

Sec. 2. The fact that the operation of the State Fire Insurance Law is seriously impeded, and that on account of a lack of stationery and printing supplies, and the fact that there have been sufficient appropriation made to the State Fire Insurance Commission except that such items of appropriations have been specified and there will remain unexpended balances in such specified items, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read upon three several days be suspended, and such rule is suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room.

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred Senate Bill No. 57, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

BLEDSON, Chairman.

Following is the bill in full:

By Parr. S. B. No. 57.

A BILL  
to be entitled

An Act to amend Section 1 of Chapter 58 of the Acts of the Regular Session of the Thirty-seventh Legislature, the same being "An Act to provide for the extension of time in which to develop oil and gas under permits heretofore issued under the Mineral Act of 1917, upon islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas within tide-

water limits and that portion of the Gulf of Mexico within the jurisdiction of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 1 of Chapter 58 of the above recited Act shall be so amended as to hereafter read as follows:

Section 1. That all permits to prospect for oil and gas heretofore issued under the Mineral Act of 1917 on islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas within tide water limits and that portion of the Gulf of Mexico within the jurisdiction of Texas and which permits have not been canceled and on which as many as two annual payments of rental have been made to the State be and they are hereby revived and extended so that they shall remain in full force and effect for a period of five years from the date of the issuance of the permit conditioned only upon compliance with the terms of this Act.

Sec. 2. The importance of this legislation together with the fact of the crowded condition of the calendar, creates an emergency and public necessity exists that the constitutional rule requiring that bills be read on three several days be suspended, the same is hereby suspended and that this Act shall take effect and be in force from and after its passage and it is so enacted.

Committee Room,

Austin, Texas, August 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir, We, your Committee on Education, to whom was referred S. B. No. 54,

Have had the same under consideration, and beg leave to report back that the bill do pass and be not printed, but be printed in the Journal.

WITT, Chairman.

Following is the bill in full:

By Darwin. S. B. No. 54.

A BILL  
to be entitled

An Act to amend Sections 4 and 14, Chapter 44, of the Acts of the First



Called Session of the Thirty-fourth Legislature in such a way as to make it possible for the State Textbook Commission to renew contracts wherever advantageous to the interest of the State, and to grant to the said Commission the power to take such action in the adoption of textbooks for the public schools as may be necessary in the interests of economy and of an efficient school system, and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. That Sections 4 and 14 of Chapter 44 of the Acts of the First Called Session of the Thirty-fifth Legislature shall be so amended as hereafter to read as follows:

Section 4. It shall be the duty of the Commission to meet not later than September 1, 1921 and as often thereafter as may be necessary for the purpose of considering the advisability of continuing or discontinuing at the expiration of all current contracts any or all of the State adopted textbooks in use in the public schools of Texas, and of making such adoptions as are provided for in Section 5 of this Act.

Before making any change in the adopted series, however, the Commission shall, upon thorough investigation, satisfy itself that a change is desirable in the interests of the children in the schools, and in the interests of economy, and if in the judgment of the Commission, no text on any subject is offered that is better suited to the requirements of the schools than the present adopted text or texts, provided that the price and quality of such texts be satisfactory to the Commission, and, in their judgment, offer the best obtainable contract for the State, then it shall be lawful for the Commission to renew any contract for such period of time as may be deemed advisable, not to exceed a period of six years; provided that, whenever the contractor supplying any book, agrees to renew the contract on the same or better terms for a period of not less than one year or more than six, the members of the Commission shall give preference to the offer of the company holding the contract, if in their judgment, they shall thereby secure as good or better books at a lower price than by making a different contract, and it shall always be lawful for them to renew a contract on such terms as in their judgment may be for the best interests

of the State. The contracts for the total number of different texts adopted shall be so arranged, in adoptions taking place after the passage of this Act, that contracts on not more than one-sixth of the total number of different State textbooks shall expire in any one year, or shall be changed in any one year. If no text or texts on any prescribed subject or subjects are submitted by any publisher or publishers that meet the requirements of the schools, as may be determined by the Commission, then it shall be the duty of the chairman of the Commission to instruct the secretary of the Commission to investigate the book markets for the purpose of securing bids with a view to providing at the most reasonable price or prices possible, the best available texts on any and all subjects that are to be adopted by the Commission for the schools of Texas.

Section 14. The Commission shall not in any case contract with the publisher for any book or books to be used in the public schools of this State at a price in excess of the lowest price at which said publisher or publishers furnish or have offered to furnish and distribute the same book or books under contract with any other State, county or school district in the United States within the twelve months next preceding the offer to the State of Texas, and all contracts with publishers for the furnishing of books hereunder shall further stipulate and bind said publishers that they will not hereafter during the life of the respective contracts furnish or offer to furnish and distribute the same book or books under contract with any other State, county or school district in the United States at a lower price than that at which said publishers agree to furnish and distribute the same books under the contracts executed pursuant to this Act, unless such publishers respectively shall immediately give such lower price to the beneficiaries of the contracts executed hereunder, provided, that in the event any contract is made, it shall be the duty of the Attorney General to institute suit upon the bond hereinabove provided for, for a recovery on behalf of the State of the liquidated damages due under and as provided for in Section 28 of this Act, and proof of a violation of this provision in any particular shall be prima facie evidence of liability in any such suit

brought hereunder, and in case that any contractor who has a contract to furnish a book or books for the State under the provisions of this Act shall at any time during the period of this adoption contract to furnish and distribute the same book or books at a lower price than fixed in accordance with the provisions of this Act under similar conditions of sale and distribution as may be decided by the State Textbook Commission such lower price shall immediately be given to the State of Texas, and for the breach of any of the conditions and stipulations contained herein or in the respective contracts, the contract may be forfeited and the contractors shall be liable to the State of Texas in liquidated damages in the full amount of the bond; and it shall be the duty of the Attorney General to bring suit on the bond of such contractor for such liquidated damages as provided for in Section 28 hereof.

Sec. 2. The fact that the present contracts on a number of textbooks will expire within the next biennium and that the Textbook Commission must soon meet to consider the matter of renewal of contracts or new adoptions and that a considerable period of time is necessary for the Board to examine texts, to make new contracts, and to give time to the publishers to furnish books, constitute an emergency and an imperative public necessity, requiring that the constitutional rule that all bills shall be read on three several days shall be suspended and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Senate Chamber,  
Austin, Texas, August 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Finance, to whom was referred S. B. No. 62,

Have examined said bill, and report it back with the recommendation that it do pass, and be printed in the Journal.

DUDLEY, Chairman.

Following is the bill in full:

By Dudley. S. B. No. 62.

**A BILL**  
to be entitled

An Act making certain emergency appropriations out of the General Rev-

enues for the support of the State Government for the fiscal years ending August 31, 1921, and August 31, 1922, and authorizing the expenditure of certain unexpended balances from former appropriations and making appropriations for authorized deficiencies incurred in support of the State Government for the fiscal year ending August 31, 1921, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary be and the same are hereby appropriated out of any money in the State Treasury not otherwise appropriated for the support of the State Government as hereinafter enumerated, for the fiscal years ending August 31, 1921, and August 31, 1922, and authorizing the expenditure of certain unexpended balances from former appropriations and to pay authorized deficiencies incurred in the support of the State Government for the fiscal year ending August 31, 1921.

**EMERGENCY ITEMS.**

For the fiscal  
years ending  
August 31, 1921  
and August 31,  
1922.

**Board of Control.**

To repair roof of capitol building. . . . .	\$ 16,000.00
To repair ceiling in capitol building. . . . .	8,450.00
To repair the dome of the capitol building . . . . .	12,000.00
To repair steps at the west entrance of the capitol building. . . . .	1,200.00
To paint outside window frames in the capitol building. . . . .	2,700.00

For fiscal year  
ending August  
31, 1921.

**Comptrollers' Department.**

To pay fees of county judges, attorneys, justices of the peace, sheriffs and constables in examining trials. . . . .	\$ 20,000.00
To pay fees and costs of sheriffs, attorneys, clerks in felony cases. . . . .	150,000.00

For fiscal year ending August 31, 1921	For fiscal year ending August 31, 1921.
<b>Insurance and Banking.</b> For postage, telegraph, telephone and stationery....\$ 1,000.00 Furniture and fixtures..... 1,000.00 Traveling expenses of State bank examiners, none of which shall be used for traveling outside of the State. . . . . 2,000.00  <b>Livestock Sanitary Commission.</b> Railway fare of inspectors, veterinarians and ass'ts.. 1,800.00 Expenses of veterinarians and assistants ..... 400.00 For office expenses including printing, rent, furniture and fixtures, postage, telephone, telegraph and other office supplies ..... 820.00  <b>Texas State Library.</b> For postage, stationery, express and miscellaneous supplies. . . . . 75.00  <b>Court of Civil Appeals for the Seventh District.</b> For record books and stationery. . . . . 100.00 Books for maintenance of library. . . . . 150.00  <b>State Orphans Home.</b> For support and maintenance. . . . . 3,000.00 Fuel. . . . . 800.00 Material for heating and lighting plant ..... 600.00  <b>Girls Training School.</b> Support and maintenance.. 2,500.00 To pay farm employees in lieu of board as agreed upon by the State Board of Control ..... 750.00 Traveling expenses, discharge and transportation. . . . . 750.00  <b>Texas School for the Deaf.</b> For water, light and power 310.00  <b>East Texas Hospital for the Insane.</b> To pay salaries of two firemen and three farm hands for the month of August made necessary on account of error in original appropriation bill ..... 300.00	<b>Home for Dependent and Neglected Children.</b> There is hereby re-appropriated all unexpended balances remaining in the original appropriation made for the establishment of the Home for Dependent and Neglected Children made by the Thirty-sixth Legislature and which has reverted to the State Treasury by operation of law, to be used by the State Board of Control for the purchase of furniture and furnishings.  <b>Colony for Feeble Minded.</b> It is hereby provided that the Board of Control shall be, and is hereby, authorized to expend not exceeding the sum of \$6,000.00 out of the support and maintenance account for the Colony for Feeble Minded appropriated for the fiscal year ending August 31, 1921, for the erection of a frame school building and the purchase of and installation of necessary equipment for same.  <b>Total for emergencies....\$226,705.00</b>  <b>AUTHORIZED DEFICIENCIES.</b>  <b>Prairie View Normal.</b> For fuel .....\$ 10,000.00  <b>State Orphans Home.</b> Fuel. . . . . 6,850.00  <b>Department of State.</b> For publishing constitutional amendments. . . . . 3,970.00  <b>Game, Fish &amp; Oyster Commission.</b> Stationery and printing.... 900.00

For fiscal year  
ending August  
31, 1921.

Treasury Department.

Books, stationery and post-  
age. . . . . 250.00

Total for deficiencies. . . . \$ 21,970.00

Grand total for deficiencies  
and emergencies . . . . \$248,675.00

Sec. 2. The importance of the several items herein provided for and the necessity for same for the maintenance of the different departments and institutions and the present crowded condition of the calendar creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each house and the rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,

Austin, Texas, Aug. 3, 1921.

Hon. Lynch Davidson, President of  
the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 52, have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

Wood, Acting Chairman; Bailey, Willis, Parr, Dudley, Williams, Hertzberg.

Following is the bill in full:

By Murphy. S. B. No. 52.

A BILL  
to be entitled.

An Act to amend Chapter Seventy-six of the General Laws of the Thirty-sixth Legislature passed at the Regular Session in 1919, by adding thereto a new section to be numbered 5a, so as to provide for public weighers in counties where there are two or more cities, towns or shipping points receiving commodities in large quantities, and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter Seventy-six of the General Laws of the Thirty-sixth Legislature, passed at the Regular Session in 1919, be and the same is hereby amended, by adding thereto a new section numbered 5a, said section reading as follows:

Sec. 5a. In all counties in this State in which there are two or more cities, towns or shipping points that receive as much as fifty thousand bales of cotton; or twenty-five thousand tons of cotton seed; or one hundred thousand bushels of grain; or one hundred thousand bushels of rice; or one hundred thousand pounds of wool; or five thousand barrels of sugar, or any other commodity in large quantities, it shall be lawful for the Governor to appoint a sufficient number of public weighers for such county to carefully and accurately weighed all commodities tendered for the purpose of weighing for shipment, sale or purchase. All such public appointments shall be made by the Governor, on the recommendation of the Senator from whose Senatorial District such appointment is made, together with a majority of the representatives in the Legislature from such Senatorial District. No man shall be appointed unless he shall receive the endorsement of a majority of the representatives, and the Senator, from such district. Every public weigher so appointed shall file a bond payable to the State of Texas, in the sum of Five Thousand (\$5,000.00) Dollars, conditioned that he will accurately weigh, or measure, all commodities tendered to him in said county for weighing or measuring, and that all certificates of weight issued by him shall represent a true and accurate weight of such produce so weighed, and otherwise complying with the terms and conditions of the bond, as outlined in Section 2 of the original Act; such bond, so given, shall not be void upon first recovery, but may be sued on successively by any and all persons who are injured by such public weigher. Such public weigher shall have the right to appoint a sufficient number of deputies to aid him in weighing, or measuring, any commodity that is tendered to him for weighing. All bonds given by such public weighers or their depu-

ties shall be subject to the approval of the Commissioner of Markets and Warehouses, and all bonds and oaths of such public weighers or their deputies shall be filed with the Commissioner of Markets and Warehouses.

Sec. 2. The fact that there is now no adequate law governing public weighers in this State where there are two or more cities, towns or shipping points in any one county, and the further fact that a great deal of inconvenience, trouble and expense is occasioned by the fact that the weighers can only weigh in the city for which they are appointed at this time and that it is to the advantage of the cotton business that they should be able to weigh in all cities in the same county where such large amounts of cotton, etc., are received, and that the cotton season will begin on August 1st, and that an urgent need of clearing the calendar of pending legislation as rapidly as possible, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage and it is so enacted

Committee Room,

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Town and City Corporations, to whom was referred S. B. No. 49, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

WATTS, Chairman.

Following is the bill in full:

By Witt.

S. B. No. 49.

A BILL  
to be entitled.

An Act to provide that any city having a special charter, or a charter adopted or amended under Chapter 147 of the General Laws of the Thirty-third Legislature, passed at the Regular Session thereof, or under any amendments

thereto, and having authority under its charter to determine, fix and regulate the charges, fares or rates of compensation to be charged by any person, firm or corporation enjoying a franchise in said city shall in determining, fixing and regulating the charges, fares or rates of compensation to be charged by any such person, firm or corporation, base the same upon the fair value of the property of such person, firm or corporation devoted to furnish service to such city, or the inhabitants thereof, and not upon any stocks or bonds issued, or authorized to be issued, by, or any other indebtedness of, any such person, firm or corporation. And repealing all laws and parts of laws in conflict herewith; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That any city having a special charter, or a charter adopted or amended under the provisions of Chapter 147 of the General Laws passed at the Regular Session of the Thirty-third Legislature, or under any amendments thereto, and having authority under its charter to determine, fix and regulate the charges, fares or rates of compensation to be charged by any person, firm or corporation enjoying a franchise in said city shall, in determining, fixing and regulating the charges, fares or rates of compensation to be charged by any such person, firm or corporation, base the same upon the fair value of the property of such person, firm or corporation devoted to furnishing service to such city, or the inhabitants thereof, and not upon any stocks or bonds issued, or authorized to be issued, by, or any other indebtedness of such person, firm or corporation.

Sec. 2. That all laws and parts of laws in conflict herewith are hereby suspended.

Sec. 3. The fact that the interests of the public are often injuriously affected in the fixing of utility rates by cities taking into consideration the amount of stocks or bonds issued by persons, firms or corporations rendering service under franchise from such cities, and basing rates thereon, creates an emergency and an imperative public necessity that the

constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred S. B. No. 60,

Have had the same under consideration, and I am directed to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

WATTS, Chairman.

Following is the bill in full:

By Rogers.

S. B. No. 60.

A BILL  
to be entitled.

An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State, which have adopted charters, or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by city councils or city commissions, or governing authority, in regard to the question of the adoption of charters or amendments thereto; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That each charter, and amendment to a charter, adopted by any city or town of more than five thousand inhabitants in this State, or where such city has amended or attempted to amend such charter, since the enactment of Chapter 147, Acts of the Regular Session of the Thirty-third Legislature, 1913, and all proceedings had with reference thereto, are hereby validated, and are hereby declared to be in full force and effect, the same as if adopted in strict compliance with the requirements of said Chapter 147, Acts of the Thirty-third Legislature, and this Act shall take effect and be in force from and after its passage.

Sec. 2. The fact that the Act of the Thirty-third Legislature authorizing cities of more than five thousand inhabitants to adopt and amend their own charters is a recent one, and its provisions have not been construed by the courts, and that many cities which have undertaken in good faith to incorporate and to adopt and amend their charters may not have complied strictly with all of its provisions and requirements, and that the acts, ordinances and bond issues of such cities may therefore be questioned, although made in good faith and authorized by a majority vote of the qualified voters of such cities, creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, and said rule is suspended, and this Act shall take effect and be in force from and after the date of its passage, and it is so enacted.

Committee Room,

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 45, carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 23 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 13 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, Aug. 3, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill

No. 42 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,  
Austin, Texas, Aug. 3, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 2 and find the same correctly enrolled, and have this day at 4:55 o'clock p. m., presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,  
Austin, Texas, Aug. 3, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 4 and find the same correctly enrolled, and have this day at 4:55 p. m., presented the same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,  
Austin, Texas, Aug. 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Finance Committee to whom was referred Senate Bill No. 61, beg leave to report that this bill has been examined and I am instructed to report it back with the recommendation that it do pass.

DUDLEY, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, August 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, a majority of your Committee on Agricultural Affairs, to whom was referred

S. B. No. 53, A bill to be entitled "An Act to create State Warehouse Commission for the State of Texas; prescribing their terms of office, appointment, qualifications and bonds; prescribing additional duties for Commissioner of Markets and Warehouses; defining the duties of the State Warehouse Commission; investing the powers of administration and execution of the terms of this Act in said Commission and Commissioner of Markets and Warehouses; providing for the

location, the construction, purchase, lease and operation of cotton warehouses by the State and declaring such warehouses to be used on equal terms by the cotton producers and growers of the State; providing for the selection, examination and appointment of all managers of the State Warehouse under the supervision of the Commissioner of Markets and Warehouses, declaring the rights, duties and liabilities of the Commissioner of Markets and Warehouses and managers; authorizing the issuance of negotiable and non-negotiable receipts by the Market and Warehouse Commissioner; vesting power in said Commissioner to negotiate fire insurance on the warehouses and equipment and for the cotton stored in warehouses therein and giving the Commissioner of Markets and Warehouses a lien for storage and other warehouses charges; levying an occupation tax on the ginneries of cotton at fifty cents per bale on all cotton ginned in Texas; providing for its collection; and giving ginneries a lien on the cotton ginned for ginning charges, and providing the purpose and manner in which the funds derived from said occupation tax shall be expended; providing penalties for violation of the duties imposed by law on public warehousemen and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, August 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, a minority of your Committee on Agricultural Affairs, to whom was referred S. B. No. 53,

Having had same under consideration, recommend that it do not pass.

PARR, Chairman.

Committee Room,  
Austin, Texas, August 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 59, A bill to be entitled "An Act granting to John D. Rogers, trustee of the estate of John D. Rogers, deceased, and his successors in

said trust permission to sue the State of Texas for the sum not to exceed Thirty-eight Thousand Two Hundred and Thirty Seven Dollars and thirty cents (\$38,237.30) for the alleged breach of a contract alleged to have been made and entered into by and between the said John D. Rogers, trustee as aforesaid as lessor, and the Prison Commission of the State of Texas, as lessee, said contract being made on or about or prior to January 1, 1917, reduced to writing, executed, and delivered on or about the second day of July, 1917, and approved by the Governor of Texas on or about October 4, 1917, by the terms of which contract it is claimed that the said Prison Commission leased from the said trustee for a term of five years several tracts of land aggregating about three thousand acres, known as the John D. Rogers farm in Brazos County, Texas, and also certain personal property in said contract fully described and which said contract it is claimed was by the said parties on or about the eighteenth day of April, 1919, modified in certain particulars, among which being that the said Prison Commission waived its right to purchase said lands, the time for which said contract should run was reduced to two years and it was especially agreed that if said Prison Commission should not have sufficient labor to cultivate the described lands and also lands owned by the Prison Commission and other leased lands the Prison Commission should have the right to allot to the cultivation of the land therein described the same proportion of said labor based upon the average needs of the said State owned lands and other lands leased by the Prison Commission; it being further claimed and alleged that said Prison Commissioners after leasing said farm and going in possession thereof on or about January 1, 1917, abandoned the same before the expiration of said contract and said modification thereof without having done or performed the things called for in said contract, to the damage of said estate and said trustee in his said capacity in the aforesaid sum of money; fixing the venue of said suit in Walker County, Texas; prescribing that service may be had upon the Secretary of State at Austin, Texas; directing and empowering the State Treasurer to pay off and satisfy any final judgment that may be rendered in said trial of said cause for

the alleged breach of said contract, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, August 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 58, A bill to be entitled "An Act to amend Chapter 146 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, and entitled 'An Act to amend Chapter 124 of the General Laws of the State of Texas passed by the Thirty-fourth Legislature at its Regular Session and entitled 'An Act to amend Articles 7608, 7610 and 7618 of the Revised Civil Statutes of the State of Texas, 1911, relating to taxation, providing for a maximum bond of tax collectors, fixing the time for filing by tax collectors of their report, and repealing all laws and parts of laws in conflict therewith and declaring an emergency,' providing for a reduction in the amount of the bonds required under provisions of said Articles 7608 and 7610 and further providing that the premiums on such bonds may be paid by the county of which the principal therein is tax collector out of the general revenues of the county, and declaring an emergency,' providing that the premiums of the bonds required under the provisions of said Article 7610 shall be paid by the county of which the principal therein is tax collector out of the general revenues of the county and declaring an emergency."

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Aug. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 55, A bill to be entitled "An Act regulating the sale of bonds by any county, incorporated city or



town, or any subdivision or district within this State; providing for the sale of such bonds in cases of emergency for less than their par value, but at not less than the commercial market value thereof at the time of such sale, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WATTS, Chairman.

### FIFTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, August 5, 1921.

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Bailey.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin
Buchanan.	Page.
Burkett.	Richards.
Clark.	Rogers.
Cousins.	Suiter.
Darwin.	Watts.
Davidson.	Williams.
Doyle.	Willis.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

Absent.

Parr.

Absent—Excused.

Carlock.	Murphy.
Dorough.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Darwin.

Excused.

Senator Murphy, on account of important business, on motion of Senator Hall.

Senator Richards for non-attendance on yesterday, on motion of Senator Hall.

### Bills and Resolutions.

By Senator Murphy:

S. B. No. 70, A bill to be entitled "An Act to amend Section 8 of S. B. 312, Chapter 16, of the Local and Special Acts of the Regular Session of the Thirty-fourth Legislature creating the LaPorte Independent School District, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Burkett, by request:

S. B. No. 71, A bill to be entitled "An Act to amend Chapter 41, General Laws passed at the First Called Session of the Thirty-fifth Legislature establishing a system of State Bonded Warehouses, by adding thereto Section 8a, 8b, 8c, 8d, 8e and 8f, providing for the establishing and regulating of public cotton gins, authorizing the Commissioner of Markets and Warehouses to regulate the fees to be charged by public ginner, fixing a lien on cotton in favor of the ginner for ginning fees; and declaring an emergency."

Read first time and referred to Committee on Agriculture.

By Senator Davidson, by request:

S. B. No. 72, A bill to be entitled "An Act to amend Section 1, of Chapter 81 of the Second Called Session of the Thirty-sixth Legislature, approved July 31st, 1919, relating to the relinquishment of fifteen sixteenths of oil and gas in public free school and asylum land to the owner of the soil, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Public Lands.

By Senators Williams, Hertzberg, McMillin, Lewis:

S. B. No. 73, A bill to be entitled "An Act to amend Chapter 1 of Title 104, Revised Civil Statutes of Texas, adopted in 1911, by inserting immediately following Article 6195 a new article to be known as Article 6195a which shall provide in substance, in addition to the method of removing members of the Board of Prison Commissioners referred to in Article 6195 hereto, they may likewise be removed for the causes set forth in Article 6195 by suit brought